

ALLEGED VIOLATION: The complaint alleged that the defendants distributed a certain counter-irritant drug under the name of *Muscle-Rub*, which consisted of a mixture of isopropyl alcohol, ethyl alcohol, witch hazel, camphor, menthol, and methyl salicylate. The complaint alleged further that the defendants were introducing and delivering for introduction into interstate commerce the above-mentioned article in a misbranded condition, and that the defendants were doing acts with respect to the article while held for sale after shipment in interstate commerce, which resulted in the article becoming misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article was false and misleading since it represented, implied, and suggested that the article was efficacious for the cure and relief of pains due to arthritis, rheumatism, lumbago, neuritis, sciatica, neuralgia, bruises, sprains, foot irritations, and other crippling conditions, whereas the article was not efficacious for such purposes; Section 502 (f) (1), the labeling of the article did not bear adequate directions for use since it did not contain a statement of all the purposes and conditions for which the article was intended by the defendants and sufficient information to enable a layman to intelligently and safely attempt self-medication for the purposes and conditions for which it was intended; and, Section 502 (f) (2), the labeling failed to bear adequate warnings against unsafe methods and duration of use since the labeling failed to state that the article should be kept away from the eyes and mucous membranes and should be rubbed in gently and not excessively.

DISPOSITION: January 6, 1953. The defendants having consented to the entry of a decree, the court entered a decree permanently enjoining and restraining the defendants from introducing and delivering for introduction into interstate commerce the article in question or any similar article which was misbranded as alleged in the complaint, and from doing any act with respect to any such article while held for sale after shipment in interstate commerce, which would result in the article becoming misbranded as alleged.

✓ 4047. Misbranding of glandular products. U. S. v. 3 Cartons, etc. Tried to the court. Verdict for the Government. Decree of condemnation. (F. D. C. No. 28474. Sample Nos. 68509-K, 68511-K to 68515-K, incl.)

LIBEL FILED: December 20, 1949, Western District of Washington.

ALLEGED SHIPMENT: On or about July 21, September 21, October 28, November 7, 18, and 30, and December 7, 1949, by the W. H. Grew Mfg. Co., from Salt Lake City, Utah.

PRODUCT: 3 30-capsule cartons of No. 26 *Formula GM capsules*, 5 30-capsule cartons of No. 6 *Formula GE-5 capsules*, 5 30-capsule cartons of No. 29 *Formula GM-3 capsules*, 4 30-capsule cartons of No. 33 *Formula GM-7 capsules*, 5 30-capsule cartons of No. 38 *Formula GM-12 capsules*, and 14 30-perle cartons of No. 105 *androgenic hormone perles*, at Seattle, Wash.

LABEL, IN PART: "No. 26 Formula GM 30 Capsules Each Capsule Contains: (Apoth) Suprarenal Cortex 4 grs., Spleen 1 gr., Parathyroid 1/20 gr., and Vegetable base q. s. Caution: To be used only under the direction of a Doctor. There is no scientific evidence that Suprarenal Cortex, Spleen or Parathyroid is therapeutically active when taken orally."; "No. 6 Formula GE-5 30 Capsules Each Capsule Contains: (Apoth) Cardiac 5 grs., and Vegetable base q. s. Caution: To be used only under the direction of a Doctor. There is no scientific evidence that Cardiac is therapeutically active when taken orally."; "No. 29 Formula GM-3 30 Capsules Each Capsule Contains: (Apoth) Lym-